

FAX TRANSMISSION

RECEIVED
CENTRAL FAX CENTER
FEB 22 2006

DATE: February 22, 2006**PTO IDENTIFIER:** Application Number 10/729,046 - Conf. No. 9312**Inventor:** Alexander M. Harmon et al.**MESSAGE TO:** US Patent and Trademark Office, Mail Stop After Final**FAX NUMBER:** (571) 273-8300**FROM:** NUTTER MCCLENNEN & FISH LLP

Charlton Shen

PHONE: (617) 439-2000**Attorney Dkt. #:** 22956-235**PAGES (Including Cover Sheet):** 11**CONTENTS:**

Amendment Transmittal (1 page)
Response to Final Office Action Under 37 C.F.R. 1.116 (9 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 439-2000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

NUTTER MCCLENNEN & FISH LLP
World Trade Center West, 155 Seaport Boulevard, Boston, Massachusetts 02210-2604
Telephone: (617) 439-2000 Facsimile: (617) 310-9000

1506416.1

AMENDMENT TRANSMITTAL LETTER				Docket No. 22956-235
Application No. 10/729,046	Filing Date December 5, 2003	Examiner Alvin J. Stewart	Art Unit 3738	
Applicant(s): Alexander M. Harmon et al.				
Invention: Viable Tissue Repair Implants and Methods of Use				
RECEIVED CENTRAL FAX CENTER FEB 22 2006				
TO THE COMMISSIONER FOR PATENTS				
X Transmitted herewith is a Response to Final Office Action Under 37 C.F.R. 1.116				
X The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
Total Claims	17	Highest Number Previously Paid	0	Number Extra Claims Present Rate
Independent Claims	2	- 2 =	0	x 50.00 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee: 0.00				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: \$0.00				
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>141449</u> as described below. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
Dated: <u>February 22, 2006</u>				
<u>Charlton Shen</u> Attorney Reg. No.: 54,442 NUTTER MCCLENNEN & FISH LLP World Trade Center West 165 Seaport Boulevard Boston, Massachusetts 02210-2604 (617) 439-2000				
Amendment Transmittal				
I hereby certify that this correspondence is being sent via facsimile to (571) 273-8300 addressed to: Mail Stop After Final, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Dated: February 22, 2006 Signature: <u>Charlton Shen</u> (Charlton Shen)				

1506418.1

RECEIVED
CENTRAL FAX CENTER

FEB 22 2006

Docket No.: 22956-235
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Alexander M. Harmon et al.

Application No.: 10/729,046

Filed: December 5, 2003

For: VIABLE TISSUE REPAIR IMPLANTS AND
METHODS OF USE

Confirmation No.: 9312

Art Unit: 3738

Examiner: Alvin J. Stewart

I hereby certify that this correspondence is being sent via facsimile transmission
to (571) 273-6300, Mail Stop After Final, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450, on the date above below.

Dated: February 22, 2006

Signature: 
(Charlton Shen)

RESPONSE TO FINAL OFFICE ACTION UNDER 37 CFR 1.116

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action dated December 19, 2005, please amend the
above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2
of this paper.

Remarks/Arguments begin on page 6 of this paper.